



**CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS**

ENTERED

**THE DATE OF ENTRY IS ON
THE COURT'S DOCKET**

The following constitutes the ruling of the court and has the force and effect therein described.

Signed December 12, 2023

United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

IN RE:

WILLIAM BRYAN BARTON,

Debtor.

CASE NO. 22-20196-rlj-7

**KENT RIES, TRUSTEE IN BANKRUPTCY
OF WILLIAM BRYAN BARTON,**

Plaintiff,

V.

**BARTON 5 FAMILY, LP;
BARTON 5 MANAGEMENT, LLC;
SWING HARD VENTURES, LLC;
BUILDING STEAM, LLC;
DERRICK DEALS, LLC; and
MINERALMEN, LLC,**

Defendants.



ADVERSARY NO. 23-02003-rlj

SCHEDULING ORDER

The Court hereby **ORDERS** this Scheduling Order.

- December 16, 2023** DISCLOSURES: The parties shall file and serve their Rule 26(a)(1) Disclosures by this date.
- January 15, 2024** JOINDER: All parties must be added and served, whether by amendment or third-party practice, by this date: THE PARTY CAUSING JOINDER SHALL PROVIDE A COPY OF THIS SCHEDULING ORDER AT THE TIME OF SERVICE.
- May 6, 2024** MEDIATION DEADLINE: The parties shall select a mediator and conduct mediation by this date.
- May 6, 2024** DISCOVERY SHALL CONCLUDE: All fact witness depositions shall be taken on or before this date and all written discovery requests must be served so that responses are due by this date. Any deposition noticed for a date after May 6, 2024 and all written discovery requests served after April 6, 2024 shall not be permitted except by agreement of the parties or permission by the Court upon showing of good cause. An example of good cause might be where a party is able to demonstrate issues arising out of newly discovered information (e.g., information discovered through documents produced after April 6, 2024).
- April 12, 2024** EXPERT WITNESS DESIGNATIONS AND REPORTS: The parties shall list each expert's name, address and topics of the witnesses' testimony as well as provide all reports to the opposing party by this date.
- April 26, 2024** REBUTTAL EXPERT WITNESS DESIGNATIONS AND REPORTS: The parties shall list each rebuttal expert's name, address and topics of the witnesses' testimony, as well as provide all reports to the opposing party by this date.
- May 6, 2024** DEADLINE TO DEPOSE EXPERT WITNESSES: All expert witness depositions shall be taken on or before this date
- May 6, 2024** MOTIONS FOR SUMMARY JUDGMENT: All motions for summary judgment shall be filed by this date.
- June 6, 2024** HEARING ON DISPOSITIVE MOTIONS: The hearing on all motions for summary judgment will be held by or on this date.
- June 6, 2024** WITNESS AND EXHIBIT LISTS: The parties shall file and exchange lists of witnesses and exhibits for trial. This list shall designate whether the witnesses will be called live or by deposition. Each exhibit shall be marked with an exhibit label, except for impeachment documents. Exhibits shall be exchanged between the parties.
- June 13, 2024** FINDINGS: Proposed Findings of Fact and Conclusions of Law are to be filed and served.

- June 13, 2024** TRIAL BRIEFS: Trial Briefs are to be filed and served.
- June 13, 2024** PRETRIAL ORDER FILING: Pretrial Order in compliance with Local District Court Rule 16.4 to be filed and served 7 days prior to trial.
- June 20, 2024** DOCKET CALL: Parties shall participate in a docket call with the Court at **1:30 p.m. on June 20, 2024 via WebEx¹** to announce ready for trial. Trial dates will be scheduled at the docket call. The location of the trial will be the U.S. Courthouse, Federal Building, 205 SE 5th Ave, Amarillo, TX 79101.

The Court further ORDERS:

- A. Except as modified by this Order, all documents filed or exchanged will comply with the applicable bankruptcy rules of procedure and the local rules of the Northern District of Texas.
- B. Lead trial counsel are responsible for preparing the Pretrial Order. The Pretrial Order shall govern the conduct of the trial. In order to confer on the Pretrial Order, all lead trial counsel shall participate in the face-to-face meeting or telephone conference. All counsel who do not attend this conference shall be assumed to have accepted the Pretrial Order as submitted.
- C. On or before August 8, 2024 counsel shall confer and submit to the Court a Trial Procedures Order that addresses the following items:
- (1) the marking of exhibits for trial;
 - (2) designations of transcripts, if any;
 - (3) objections to exhibits and/or designated transcripts;
 - (4) notice of testifying witnesses; and
 - (5) any other matters that will facilitate the trial of this case.

With respect to the deadlines set forth in paragraphs above of this Order, they may be extended only by agreement of the parties or Court Order.

###End of Order###

¹ The WebEx meeting / dial-in-information for this docket will be posted on the Court's website (www.txnb.uscourts.gov) under Judge Jones's "Hearing Dates and Calendar" tab prior to the hearing.